

1-1 By: Harris S.B. No. 1161
1-2 (In the Senate - Filed March 8, 2005; March 21, 2005, read
1-3 first time and referred to Committee on Administration;
1-4 April 22, 2005, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 22, 2005,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1161 By: Van de Putte
1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to corrected reports, registrations, and statements filed
1-11 with the Texas Ethics Commission.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 305.033, Government Code, is amended by
1-14 adding Subsection (f) to read as follows:

1-15 (f) A registration or report filed by a registrant is not
1-16 considered to be late for purposes of this section if the registrant
1-17 files a corrected or amended registration or report not later than
1-18 the 41st day after the date the registrant becomes aware of the
1-19 error or omission in the registration or report originally filed.

1-20 SECTION 2. Section 571.0771, Government Code, is amended by
1-21 adding Subsection (b-1) to read as follows:

1-22 (b-1) For purposes of Subsection (a)(1), a report does not
1-23 substantially comply with the applicable law if it contains an
1-24 error other than one of the following errors:

1-25 (1) an obvious typographical error;

1-26 (2) the omission of information required for the
1-27 commission's administrative purposes;

1-28 (3) one or more instances of an incorrectly reported
1-29 contribution or an unreported contribution, if the total of
1-30 incorrectly reported or unreported contributions does not exceed
1-31 the lesser of:

1-32 (A) 10 percent of the total contributions
1-33 reported on the corrected report; or

1-34 (B) \$10,000;

1-35 (4) one or more instances of an incorrectly reported
1-36 contribution or an unreported contribution, if the total of
1-37 incorrectly reported or unreported contributions does not exceed
1-38 \$2,000;

1-39 (5) one or more instances of an incorrectly reported
1-40 expenditure or an unreported expenditure, if the total of
1-41 incorrectly reported or unreported expenditures does not exceed the
1-42 lesser of:

1-43 (A) 10 percent of the total expenditures reported
1-44 on the corrected report; or

1-45 (B) \$10,000;

1-46 (6) one or more instances of an incorrectly reported
1-47 expenditure or an unreported expenditure, if the total of
1-48 incorrectly reported or unreported expenditures does not exceed
1-49 \$2,000;

1-50 (7) an error in the amount reported under Section
1-51 254.031(a)(8), Election Code, if the correct amount:

1-52 (A) does not vary by more than 10 percent from the
1-53 amount originally reported; and

1-54 (B) does not exceed \$10,000;

1-55 (8) an error in the amount reported under Section
1-56 254.031(a)(8), Election Code, if the error in the amount originally
1-57 reported does not exceed \$2,000; or

1-58 (9) a reporting error that the commission determines
1-59 is, in context, minor.

1-60 SECTION 3. Subsection (f), Section 305.033, Government
1-61 Code, as added by this Act, applies only to a registration or report
1-62 required to be filed under Chapter 305, Government Code, that is due
1-63 on or after September 1, 2005. A registration or report required to

2-1 be filed under Chapter 305, Government Code, that is due before
2-2 September 1, 2005, is governed by the law in effect on the date the
2-3 registration or report is due, and the former law is continued in
2-4 effect for that purpose.

2-5 SECTION 4. Subsection (b-1), Section 571.0771, Government
2-6 Code, as added by this Act, applies only to a report, registration,
2-7 or statement required to be filed with the Texas Ethics Commission
2-8 that is due on or after September 1, 2005. A report, registration,
2-9 or statement required to be filed with the Texas Ethics Commission
2-10 that is due before September 1, 2005, is governed by the law in
2-11 effect on the date the report, registration, or statement is due,
2-12 and the former law is continued in effect for that purpose.

2-13 SECTION 5. This Act takes effect September 1, 2005.

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